

SENATE BILL REPORT

HB 1836

As Reported By Senate Committee On:
Human Services & Corrections, February 28, 2008

Title: An act relating to requiring registered sex and kidnapping offenders to register after serving a term of confinement for a subsequent offense that is not a sex or kidnapping offense.

Brief Description: Requiring registered sex and kidnapping offenders to register after serving a term of confinement for a subsequent offense that is not a sex or kidnapping offense.

Sponsors: Representatives Ericks, Pearson, Lovick, Williams, Kelley, Kretz, Hurst and Simpson.

Brief History: Passed House: 3/07/07, 97-0; 2/12/08, 97-0.

Committee Activity: Human Services & Corrections: 2/22/08, 2/28/08 [DPA].

SENATE COMMITTEE ON HUMAN SERVICES & CORRECTIONS

Majority Report: Do pass as amended.

Signed by Senators Hargrove, Chair; Regala, Vice Chair; Stevens, Ranking Minority Member; Brandland, Carrell, Marr and McAuliffe.

Staff: Shani Bauer (786-7468)

Background: A person who is convicted of a sex or kidnapping offense must register with the county sheriff of the county in which the person resides. The offender must also notify the county sheriff if the offender enrolls in a public or private school or an institution of higher education. Law enforcement officials use the information in the registry to notify the public of a sex offender's presence in the community.

A person who serves a term of confinement pursuant to a conviction for a sex or kidnapping offense must register at the time of release with the agency that has jurisdiction over the offender. The agency must then transmit the information within three days to the county sheriff. The offender must also register with the county sheriff within 24 hours of release.

An offender who changes his or her address or becomes homeless must provide written notice to the county sheriff of his or her change in status. Homeless offenders must report weekly to the county sheriff. Level II and III sex offenders who have a fixed residence must report to the county sheriff every 90 days.

Failure to meet the requirements of the registration statute is a gross misdemeanor if the crime that caused the offender's duty to register was a misdemeanor or a gross misdemeanor. Failure

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to meet the requirements of the registration statute is a class C felony if the crime that caused the offender's duty to register was a felony. For kidnapping offenders, a class C felony violation of the registration statute is unranked. For sex offenders, a class C felony violation of the registration statute is unranked for the first offense and ranked at seriousness level II for second and subsequent offenses.

Summary of Bill (Recommended Amendments): The provisions requiring a sex or kidnapping offender to register at the time of release from custody apply regardless of whether the offender was in custody for the offense that created the duty to register, an offense that is not a sex or kidnapping offense, or a sanction resulting from a violation of community custody.

EFFECT OF CHANGES MADE BY HUMAN SERVICES & CORRECTIONS (Recommended Amendments): Requires a sex or kidnapping offender to register at the time of release from custody regardless of whether the offender was in custody for the offense that created the duty to register, an offense that is not a sex or kidnapping offense, or a sanction resulting from a violation of community custody.

Appropriation: None.

Fiscal Note: Available.

Committee/Commission/Task Force Created: No.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Staff Summary of Public Testimony: None.

Persons Testifying: No one.